

In re Nieves Pizarro & Cuadrado Nieves
Case No. 19-07570

**THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:
FRANCISCO NIEVES PIZARRO
Social Security: xxx-xx-1680
MARILYN CUADRADO NIEVES
Social Security: xxx-xx-5850

Address:
PO BOX 2947
GUAYNABO, PR 00970

DEBTORS

CASE NO. 19-07570-BKT/C

CHAPTER 13

WITHDRAW OF SUGGESTION FOR SANCTIONS

TO THE HONORABLE COURT:

COME NOW DEBTORS, represented by Legal Partners, PSC., and through the undersigned attorney respectfully represent and pray as follows:

1. On June 9, 2020, Firstbank Puerto Rico, hereinafter referred as "Creditor", filed a motion requesting the dismissal of the above-caption case at docket entry number 29, hereinafter referred as the "motion". Before the filing of the motion we called sister counsel's cell phone, and various of the office telephones to no avail.
2. On June 10, 2020, the Debtors filed at Docket No. 31, an opposition and a motion to strike in which it was suggested that this Honorable Court should evaluate if the filing of the motion was in violation of Fed.R.Bnkr.P. 9011.
3. On June 24, 2020, FirstBank filed a reply to Debtors' opposition, in which it made an in depth analysis of applicable law, concluding that the Puerto Rico moratorium law did

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not apply to the case at bar. It also made the clarification and admission that even though, in Firstbank's opinion, the law did not apply, FirstBank extended the same benefits afforded by the law to Debtors, see ¶132 of FirstBank's motion filed at Docket No. 38. We do not agree in the conclusion that the moratorium law it did not apply, but we can understand how the confusion arose and why the motion to dismiss was filed, even when the moratorium was extended to Debtors as evidenced in the exhibit attached to Debtors' motion filed at Docket No. 29.

4. The Debtors and the attorney do not wish to prosecute sanctions against FirstBank and hereby withdraw any reference to Fed.R.Bnkr.P. 9011 and/or suggestions for sanctions, as we understand that it was not intentional or for lack of diligence.

5. We ask this Honorable Court that in light of FirstBank's explanation, and this motion withdrawing any suggestions of the imposition of sanctions, that the motion to dismiss and Debtors' opposition be deemed resolved as moot, and that the Debtors' plan be confirmed without the need for a hearing.

WHEREFORE, Debtors pray from this Honorable Court, that in light of FirstBank's explanation, and Debtors' motion withdrawing any suggestions of the imposition of sanctions, that the motion to dismiss and Debtors' opposition be deemed resolved as moot, and that the Debtors' plan be confirmed without the need for a hearing, with any further relief that is just and proper.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification, upon information and

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belief, of such filing to: María Benabe Rivera, Esq., Monsita Lecaroz Arribas, Esq., U.S. Trustee's Office, Jose R. Carrion Morales, in addition to any and all parties registered in this case to receive CM/ECF Notices. We will serve by regular mail this document to any the above-named persons, upon knowing that they are non CM/ECF participants.

RESPECTFULLY SUBMITTED.

In Carolina, Puerto Rico, June 10, 2020.

LEGAL PARTNERS, P.S.C.
138 Ave. Winston Churchill, PMB 316
San Juan, P.R. 00926
Telephone: (787) 791-1818
Fax: (787) 791-4260

/s/Juan M. Suárez Cobo
JUAN M. SUÁREZ COBO
USDCPR 211010
suarezcobo@gmail.com